

even though the recently published Baker-Hamilton report advocated actively engaging those two countries. Bush has said he would not change his policy regarding those two countries; Specter thinks he should.

"I disagree with the policy of not dealing with Iran," he said.

"When he [Ahmadinejad] says he wants to wipe Israel off the face of the earth, I'd like to tell him how unacceptable that is," Specter said, explaining what he would tell Ahmadinejad.

"When he says there was no Holocaust, I'd like to tell him about the Holocaust survivors I've talked to, and about how much evidence there is about the Holocaust. Yes I'd like to see the president of Iran, he could use some information," he said.

Specter brushed aside the criticism of his trip to Damascus that was voiced by some in the Bush Administration who argued that his visit, as well as recent visits by three democratic senators, granted legitimacy to the Syrian government. Specter said that as a member of the powerful Senate appropriations committee that sends billions of dollars each year to the Middle East, he was dutybound to see first hand what was happening in the region.

Specter said that while he acquiesced to the Bush Administration's request not to visit Damascus on previous tours to the region last December and August, "this year in coming it seemed to me that the Administration's program is not working."

Regarding what he hoped to achieve by going to Damascus, Specter said, "I believe that all the wisdom doesn't lie with the Administration, there are others of us who have studied the matters in detail, have made contributions in the past, and have something to add here."

The senior Pennsylvania senator said that while he had a great deal of respect and admiration for US President George W. Bush, there were issues with which he did not agree with the president, and that it was his responsibility "to speak up, and do so in an independent way."

Specter said he did not believe that his visit "alters the issue of legitimacy" regarding Syria, and pointed out that the US talked to the leaders of the Soviet Union even though there was a Cold War for decades, and that the US talked with the Chinese despite disagreements over slave labor.

Specter reiterated what he said in Damascus earlier this week, that the Syrians were interested in entering into negotiations with Israel without preconditions, and that Syrian President Bashar Assad had told him that in return Syria could be helpful in dealing both with Hamas and Hizbullah.

Specter said that Assad denied that arms were being smuggled into Lebanon through Syria.

Asked whether he believed Assad, Specter, who has met with him five times and with his father Hafez Assad nine times, said, "I don't know, I can not make the judgment on that, the Israelis will have to do that."

Specter, who has served in the senate for 26 years, said that the situation in the Middle East is more problematic now than at any time since he was first elected.

"I do not see anyway out except through dialogue," he said. "I do not think there are any assurances that dialogue will succeed, but I think there are assurances that without dialogue there will be failure."

[From the Philadelphia Inquirer, Jan. 5, 2007]
WHY CONGRESS CAN AND MUST ASSERT ITSELF
IN FOREIGN POLICY

(By Sen. Arlen Specter)

My recent meeting with Syrian President Bashar al-Assad in Damascus is part of in-

creased congressional oversight in fulfilling our constitutional responsibilities in foreign affairs as a reaction to unprecedented turmoil in the Middle East. As I mentioned in an extensive Senate speech in the July 16, 2006, Congressional Record, and also in an article in the current issue of the Washington Quarterly, significant results have flowed from my meetings with foreign leaders (some of whom have been unsavory), over the last two decades.

The starting point is a senator's constitutional duty to participate, make judgments, and vote on foreign affairs. In 26 years in the Senate, I chaired the Intelligence Committee in the 104th Congress and have served on the appropriations subcommittees on defense and foreign operations. Senators vote on ratification of treaties, on the confirmation of cabinet offices including the Departments of State and Defense, and on appropriations of \$8 billion a month for Iraq and Afghanistan and more than \$500 billion annually for military and homeland defense. Under the constitutional doctrine of separation of powers, senators are purposefully independent of the executive branch to provide checks and balances. Accordingly, Congress has a vital role in the formation and execution of foreign policy.

My foreign travels have included 16 visits to Damascus since 1984 involving nine meetings with President Hafiz al-Assad and four with his son, President Bashar al-Assad. When the administration asked me not to go to Syria when I was in the region in December 2005 and August 2006, I deferred to that judgment. But now—with the Middle East embroiled in a civil war in Iraq, a fragile cease-fire between Hezbollah and Israel, and warfare between Fatah and Hamas undercutting any potential peace process between Israel and the Palestinians—I decided it was time for Congress to assert its role in foreign policy. My decision was influenced by the 2006 election, which rejected U.S. policies in Iraq, and by the Baker-Hamilton Group report on Iraq, urging direct dialogue with foreign adversaries including Syria.

My talks with Assad, following his meetings with Sens. Bill Nelson (D., Fla.), Chris Dodd (D., Conn.), and John Kerry (D., Mass.), produced his commitment to tighten the Iraqi-Syrian border to impede terrorists and insurgents from infiltrating Iraq. In my meeting, Assad made a new offer for Syria to host an international conference with all factions in the Iraqi conflict and other regional powers to try to find a formula for peace. I carried a strong State Department message to Assad concerning Syria's obligations under U.N. Resolution 1701 not to arm Hezbollah, and Syria's obligations to cooperate with the U.N. investigation into the assassination of Lebanese Prime Minister Hariri.

Israeli Prime Minister Ehud Olmert was interested in the nuances of my conversation with Assad on Syria's potential assistance with Hezbollah and Hamas as part of an Israeli-Syrian peace treaty involving the Golan Heights. When I met with Olmert, he appeared to be moderating his prior opposition to Israeli-Syrian peace talks, perhaps as a result of many voices, including mine, urging him to do so.

In previous trips to Damascus, especially in the 1990s, I relayed messages between then-President Hafiz al-Assad of Syria—who initially refused to participate in an International Conference with Israel unless sponsored by all five permanent members of the Security Council—and then-Prime Minister Itzhak Shamir of Israel. Shamir would attend such a conference only if it were organized by the United States and the Soviet Union. Shamir did not want to deal with four adversaries and only one friend. Whether my

efforts to persuade Assad to accede to Shamir's terms had any effect is speculative, but it is a fact that Syria went to the Madrid Conference in 1991 sponsored by the United States and the Soviet Union.

Shortly after becoming Israeli prime minister in 1996, Benjamin Netanyahu announced that Israel would hold Syria responsible for Hezbollah's attacks on Israel. Syria then realigned its troops near the border with Israel, creating considerable tension in the region. Netanyahu asked me to carry a message to Assad that Israel wanted peace, which I did. I was later credited by Syrian Foreign Minister Walid al-Moualem with aiding in relieving the tension.

In many visits to Damascus, I urged Assad to let Syrian Jews emigrate. Assad at first refused, saying it would be a brain drain. It is hard to say whether my appeals influenced Assad's later decision to let the Syrian Jews go. These and other results from my many trips to Damascus are cited in contemporaneous Senate floor statements reporting on those visits.

More, rather than less, congressional attention is needed on U.S. foreign policy generally and on the Middle East in particular. While we can't be sure that dialogue will succeed, we can be sure that without dialogue there will be failure.

U.S. SENATE,

Washington, DC, January 5, 2007.

His Excellency BASHAR AL-ASSAD,
President, Syrian Arab Republic,
Damascus, Syria.

DEAR PRESIDENT ASSAD: I am writing to thank you for your hospitality during my recent visit to your country. I found our discussion to be very insightful and believe it will prove useful as I continue to advocate for a renewed dialogue between our governments. I would also like to renew a request for your assistance in determining the fate of Mr. Guy Hever, an Israeli soldier who disappeared from the Golan Heights on August 17, 2006. I have raised this matter with you on several occasions, most recently during our meeting on December 26, 2006.

According to information provided to my office, at the time of Mr. Hever's disappearance, he was dressed in army fatigues, wore a military disk numbered 5210447, and carried a key chain and identification papers (Geneva Convention Card). Despite a thorough search, no trace of the missing soldier has ever been found. Some have suggested that Mr. Hever may have illegally crossed the Israeli-Syrian border, leading to his detention in a Syrian jail.

I have twice met with Mr. Hever's mother, most recently on December 28, 2006. The long interval of time which has passed since Mr. Hever's disappearance has caused his family great pain. Given that your personal intervention could potentially end the Hever's family's search for answers, I respectfully request that you order an inquiry to determine if any Syrian authority could assist in resolving Mr. Hever's whereabouts and well being.

Thank you once again for your hospitality and your consideration of this request.

Sincerely,

ARLEN SPECTER.

PRO BONO REPRESENTATION FOR GUANTANAMO DETAINEES

Mr. SPECTER. Mr. President, I note another Senator in the Chamber waiting to speak, so I will be relatively brief in comments on one other subject.

I note that an official in the Department of Justice has challenged the attorneys who have been doing pro bono

work for detainees at Guantanamo, raising an issue as to whether that representation is proper and raising the suggestions that their corporate employers might be interested in reconsidering their employment based on their representation of the detainees at Guantanamo.

It is a little hard to understand how anyone in 2007 would raise a question about pro bono work being done by lawyers who may be undertaking or who are undertaking unpopular causes. That has been the long tradition of the legal profession.

The first noteworthy example was Andrew Hamilton, a famous Philadelphia lawyer who represented Peter Zenger at the time when there were hostilities between the United States and Great Britain. Andrew Hamilton took on an unpopular cause and set the standard for lawyers to do just that.

I recollect the trials under the Smith Act of the Communists where lawyers of the highest repute undertook the representation of the defendants in those cases, a highly unpopular matter. And in the Philadelphia prosecution of the Smith Act, some of the most distinguished lawyers of the city, again, undertook that representation.

A lawyer's duty is to undertake the representation of a client, and it is up to the court to make a decision on whether the attorney is right or the attorney is wrong.

This challenge by a Department of Defense official is in line with the recent position of the Department of Justice in seeking to limit the right to counsel for corporate officials who are being investigated, with the Department of Justice under the so-called Thompson memorandum taking the position that charges might be increased if the firm and the individual did not waive the attorney-client privilege. Then the Department of Justice objected to the firm paying the legal fees.

A Federal judge in the Southern District of New York has already declared it unconstitutional to challenge the payment of the legal fees.

I have introduced legislation which would revise the Department of Justice policy even further than the revision by Deputy Attorney General McNulty in the so-called McNulty memorandum.

But when lawyers undertake the representation of individuals in unpopular causes, they are entitled to praise and not criticism.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from Missouri.

TRIBUTE TO LARRY STEWART, SECRET SANTA

Mrs. MCCASKILL. Mr. President, this afternoon I will have the glorious opportunity to travel to the White House to celebrate the 2006 World Champion St. Louis Cardinals, and the echoes of the cheers of St. Louis I will hear.

But today there are even stronger cheers coming from the angels in Heaven because today the angels in Heaven are cheering for a lifetime of kindness and compassion that belonged to the Missouri legend, Larry Stewart.

Larry was known by many names—dad, son, husband, friend—but his favorite name was Secret Santa. This was a title that was given him by hundreds and thousands of anonymous people he had helped over the 26 years that he had a very special way of celebrating our Christmas holiday.

Larry Stewart knew something of the life of those he had helped, but like any legendary, larger-than-life superhero, he remained mysteriously anonymous until the closing days of his life. He grew up poor in Mississippi, later telling stories about how he resorted to sleeping in his car early on just to get by. He, in fact, was homeless.

He told a story of how in 1971 he was eating in a diner, and when the time came to pay for his meal, he realized he didn't have the money. He saw a \$20 bill had been dropped next to him on the counter, and he got the attention of the man he had seen drop the \$20 bill. The man turned out to be the owner, and the \$20 bill had been dropped on purpose. It was a subtle gift trying to not make Larry Stewart feel uncomfortable about not having the money to pay for his meal. Larry Stewart would never forget that moment.

Years later in 1979, well into his career as a businessman, he faced his second Christmas season unemployed. Worried about how he was going to take care of his young family and receiving the news that he had just lost another job, he saw a carhop working outside in the cold with very little to keep her warm. Faced with the situation that his problems were not as serious as hers, he gave the woman a \$20 tip, and the joy that \$20 tip gave him began a tradition that lasted the next 26 years of his life.

I was lucky enough to be in his very wide circle of friends in Kansas City. I was even more fortunate because there was a time when he turned to me and said: Claire, would you like to go on a sleigh ride?

I said of course, welcoming the opportunity to see Larry Stewart do what really no one else realized he was doing.

The sleigh ride went something like this: We met at Larry's home early in the morning near Christmas. He wore always white overalls—he was a big man—white overalls with a bright red flannel shirt. We would sit in his kitchen drinking coffee. He would be exuberant with excitement as to what was going to happen that day. He would stuff his pockets with mountains of cash. His dear friend, Tom Phillips—then a sheriff's deputy, now the sheriff of Jackson County—would accompany us to make sure that our journey was safe, and off we would go in a large Suburban with another few fortunate friends to watch Santa do his work.

He had a method. I asked him one time: Larry, how do you decide where you go to spread this money?

He said: I try to go places where people are doing their best to get by.

So we would travel to autopart stores where people at the Christmas season were trying to buy that battery to make that car work. We would travel to bus stops where he would love to find people dressed in fast-food uniforms trying to catch a bus to work.

The Suburban would slow down, and Larry would hop out. We would all get out. Quickly he would approach the people and stuff \$100 bills in their hands and say: Merry Christmas.

Astonished, these people would look up suspiciously, thinking that maybe something was wrong. Then they realized: It was just a wonderful, kind man spreading Christmas cheer.

We would go into laundromats. We would go into 7-Elevens. We would go anywhere that Larry thought he would find people who were doing their best and having a difficult time making ends meet during the holiday season. I watched Larry Stewart hand out thousands and thousands of dollars to people who were astonished at his generosity, strangers he had never seen before and would never see again. Every Christmas, year after year, this was his tradition.

Those sleigh rides I took with Larry Stewart are some of the most memorable days of my life. I will never forget the feelings that washed over me as I watched the true spirit of Christmas in operation.

On every sleigh ride he would always find some special recipients. This was research he did ahead of time, trying to find families who were really in need. The stories that I have to tell of those special moments I can literally cry thinking of what I witnessed.

I remember one instance where we drove to the suburbs of Kansas City and pulled up in front of a very modest home. I asked Larry what he was doing. He explained to me that there was a woman who lived in this house who had to get dialysis three times a week. She lived with her daughter. Her daughter was a single mom with three kids. They had a broken down van, and her daughter would have to arrange her three jobs she worked to try to take her mother into Kansas City for dialysis, and invariably the van would break down.

Larry heard about this situation, and this was going to be one of his special Christmas gifts. He had a van outfitted with a handicap ramp for her wheelchair, a brandnew van, and he had it fixed up with a giant red bow. He had someone driving it who had a remote-controlled walkie-talkie.

Up we go to the front door of this house. Larry pounds on the door in his white overalls and red flannel shirt, and peeking through the door is the very suspicious daughter. I am standing over to the side watching all this.

Larry says to this woman: Merry Christmas. I hear that you are having a